

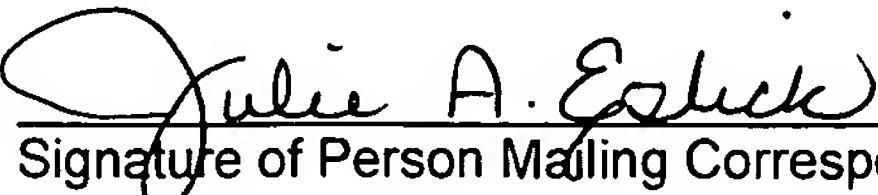
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CERTIFICATE OF MAILING

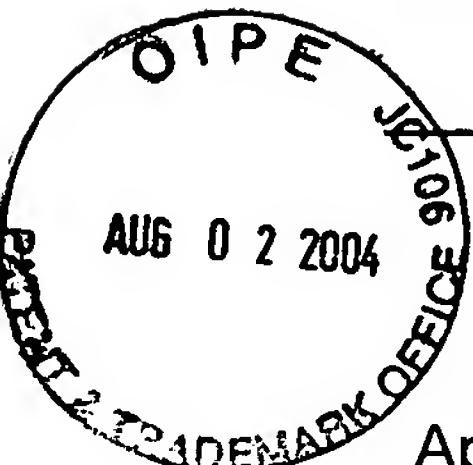
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July 29, 2004



Signature of Person Mailing Correspondence



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

|               |  |                   |            |
|---------------|--|-------------------|------------|
| Applicant(s): | Peter Saunders   | Docket No.:       | 60655.6800 |
| Serial No.:   | 10/710,570   | Group Art Unit:   | TBA        |
| Filed:        | July 21, 2004  | Examiner:         | TBA        |
| Title:        | A SYSTEM AND METHOD<br>FOR DYNAMIC FOB<br>SYNCHRONIZATION AND<br>PERSONALIZATION | Confirmation No.: | 4569       |

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner For Patents  
Mail Stop Amendments  
PO Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. One copy of each cited document is submitted herewith. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. [ ] For each of the following items listed on the enclosed copy of Form PTO/SB/08A that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

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2. [ X ] Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [X ] Parent Application, [ ] Continuation, [ ] Divisional or [ ] Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No. 10/192,488, filed July 9, 2002.

3. [ X ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

- [ X ] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- [ ] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
- [ ] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

4. [ ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below.

5. [ ] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period

specified in paragraph 3 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

- [ ] A check in the amount of \$180.00 is enclosed in payment of the fee.
- [ ] Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

6. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
  - a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
  - b. the attached petition requesting consideration of this Information Disclosure Statement; and
  - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.
7. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
  - a. [ ] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
  - b. [ ] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
  - c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.
8. [ ] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.  
[ ] I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

9. [ ] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).

[ ] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

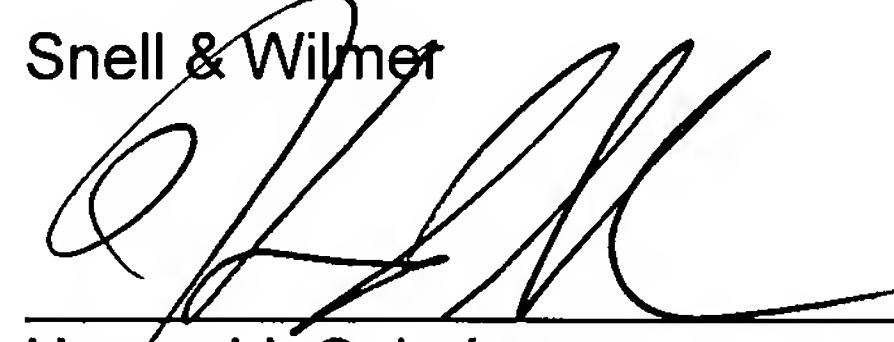
[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Dated: 7/29/04

Snell & Wilmer L.L.P.  
One Arizona Center  
400 E. Van Buren  
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Phone: (602) 382-6228  
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Respectfully submitted,

Snell & Wilmer

  
Howard I. Sobelman  
Registration No. 39,038

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## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                 | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-------------------|-----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|--|--|----------------|
|                   |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind <sup>5</sup><br>(if known) |                                |  |  |                |
|                   |                       | CH                      | CH689070            |                                 | 08/31/1998                     | Peter Bresch                                       |  |                |
|                   |                       | EP                      | 0 358 525           | A2                              | 03/14/1990                     | W&T Avery Limited                                  |  |                |
|                   |                       | EP                      | 0 424 726           | A1                              | 10/10/1990                     | Angewandte Digital Elec.                           |  |                |
|                   |                       | PCT                     | WO 99/03057         | A1                              | 01/21/1999                     | Robert E. Dorf                                     |  |                |
|                   |                       | EP                      | EP 0 933 717        | A2                              | 08/04/1999                     | Citicorp Development Center                        |  |                |
|                   |                       | EP                      | EP 0 956 818        | A1                              | 11/17/1999                     | Citicorp Development Center                        |  |                |
|                   |                       | EP                      | EP 0 959 440        | A2                              | 11/24/1999                     | Citicorp Development Center                        |  |                |
|                   |                       | JP                      | 2000-1109           | A                               | 01/14/2000                     | Citicorp Development Center                        |  |                |
|                   |                       | JP                      | 2000-015288         | A                               | 01/18/2000                     | Hitachi Plant Eng & Constr                         |  |                |
|                   |                       | JP                      | 2000-40181          | A                               | 02/08/2000                     | Unknown  |  |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(use as many sheets as necessary)</i> |   | Application Number       | 10/710,570     |
|  |   | Filing Date              | July 21, 2004  |
|  |   | First Named Inventor     | Peter Saunders |
|  |   | Art Unit                 | TBA            |
|  |   | Examiner Name            | TBA            |
| Sheet  | 2 | of                       | 11             |
|  |   | Attorney Docket Number   | 60655.6800     |

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|--------------------|-----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|--|--|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind <sup>5</sup><br>(if known) |                                |  |  |                |
|                    |                       | PCT                     | WO 00/10144         | A1                              | 02/24/2000                     | 3M Innovative Properties Co.                       |  |                |
|                    |                       | JP                      | 2000-67312          | A                               | 03/03/2000                     | IBM  |  |                |
|                    |                       | EP                      | EP 0 984 404        | A2                              | 03/08/2000                     | IBM  |  |                |
|                    |                       | PCT                     | WO 00/38088         | A1                              | 06/29/2000                     | John Klayh   |  |                |
|                    |                       | EP                      | EP 1 016 947        | A2                              | 07/05/2000                     | Texas Instruments Inc.                             |  |                |
|                    |                       | JP                      | 2000-207641         | A                               | 07/28/2000                     | NCR International Inc.                             |  |                |
|                    |                       | EP                      | Ep 1 039 403        | A2                              | 09/27/2000                     | Citicorp Development Center                        |  |                |
|                    |                       | JP                      | 2001-5931           | A                               | 01/12/2001                     | Unknown  |  |                |
|                    |                       | PCT                     | WO 01/04825         | A1                              | 01/18/2001                     | Intermec IP Corp.                                  |  |                |
|                    |                       | PCT                     | WO 01/15098         | A1                              | 03/01/2001                     | Gamut Interactive                                  |  |                |

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |   | Application Number       | 10/710,570     |
|  |   | Filing Date              | July 21, 2004  |
|  |   | First Named Inventor     | Peter Saunders |
|  |   | Art Unit                 | TBA            |
|  |   | Examiner Name            | TBA            |
| Sheet  | 3 | of                       | 11             |
|  |   | Attorney Docket Number   | 60655.6800     |

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|--------------------|-----------------------|-------------------------|---------------------|---------------------------------|--------------------------------|--|--|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind <sup>5</sup><br>(if known) |                                |  |  |                |
|                    |                       | EP                      | EP 1 104 909        | A2                              | 06/06/2001                     | Smartel S.P.A.                                     |  |                |
|                    |                       | PCT                     | WO 01/43095         | A2                              | 06/14/2001                     | Intermec IP Corp.                                  |  |                |
|                    |                       | EP                      | EP 1 113 387        | A2                              | 07/04/2001                     | Schlumberger Systemes                              |  |                |
|                    |                       | PCT                     | WO 01/72224         | A1                              | 10/04/2001                     | Wolf Fernlund                                      |  |                |
|                    |                       | JP                      | 2001-283122         | A                               | 10/12/2001                     | Dainippon Printing Co., Ltd.                       |  |                |
|                    |                       | PCT                     | WO 01/77856         | A1                              | 10/18/2001                     | Brightstreet.com, Inc.                             |  |                |
|                    |                       | PCT                     | WO 01/80473         | A2                              | 10/25/2001                     | Sony Electronics, Inc.                             |  |                |
|                    |                       | PCT                     | WO 01/86535         | A1                              | 11/15/2001                     | Cadmus Technology Ltd.                             |  |                |
|                    |                       | PCT                     | WO 01/90962         | A1                              | 11/29/2001                     | Grosvenor Leisure Inc.                             |  |                |
|                    |                       | PCT                     | WO 01/95243         | A2                              | 12/13/2001                     | Battelle Memorial Institute                        |  |                |

|                       |                    |  |
|-----------------------|--------------------|--|
| Examiner<br>Signature | Date<br>Considered |  |
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|                               |   | <i>(use as many sheets as necessary)</i>             |    |
| <i>Complete if Known</i>      |   |  |    |
| Application Number            |   | 10/710,570   |    |
| Filing Date                   |   | July 21, 2004  |    |
| First Named Inventor          |   | Peter Saunders                                       |    |
| Art Unit                      |   | TBA  |    |
| Examiner Name                 |   | TBA  |    |
| Attorney Docket Number        |   | 60655.6800   |    |
| Sheet                         | 4 | of   | 11 |

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|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind <sup>5</sup><br>(if known) |                                |  |  |                |
|                    |                       | PCT                     | WO 02/01485         | A1                              | 01/03/2002                     | Smartclic Corporation                              |  |                |
|                    |                       | PCT                     | WO 02/13134         | A2                              | 02/14/2002                     | Medmicrochip LC                                    |  |                |
|                    |                       | PCT                     | WO 02/21903         | A1                              | 03/21/2002                     | Mario White  |  |                |
|                    |                       | EP                      | EP 1 199 684        | A2                              | 04/24/2002                     | Marconi Commerce Systems                           |  |                |
|                    |                       | PCT                     | WO 02/063545        | A2                              | 08/15/2002                     | Sensomatic Electronics Corp                        |  |                |
|                    |                       | PCT                     | WO 02/065246        | A2                              | 08/22/2002                     | Stockback Holdings, Inc.                           |  |                |
|                    |                       | PCT                     | WO 02/065404        | A2                              | 08/22/2002                     | Stuart Williams                                    |  |                |
|                    |                       | PCT                     | WO 02/069221        | A1                              | 09/06/2002                     | Frequency Marketing, Inc.                          |  |                |
|                    |                       | PCT                     | WO 02/073512        | A1                              | 09/19/2002                     | 3M Innovative Properties Co.                       |  |                |
|                    |                       | EP                      | EP 1 251 450        | A1                              | 10/23/2002                     | NCR International Inc.                             |  |                |

| Examiner<br>Signature |  | Date<br>Considered |
|-----------------------|--|--------------------|
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English language translation is attached.

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|  |   |    |    | Filing Date              | July 21, 2004  |
|  |   |    |    | First Named Inventor     | Peter Saunders |
|  |   |    |    | Art Unit                 | TBA            |
|  |   |    |    | Examiner Name            | TBA            |
| Sheet  | 5 | of | 11 | Attorney Docket Number   | 60655.6800     |

## **U.S. PATENT DOCUMENTS**

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| Examiner<br>Signature |  | Date<br>Considered |
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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11

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|                        |                |
|------------------------|----------------|
| Application Number     | 10/710,570     |
| Filing Date            | July 21, 2004  |
| First Named Inventor   | Peter Saunders |
| Art Unit               | TBA            |
| Examiner Name          | TBA            |
| Attorney Docket Number | 60655.6800     |

| <b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b> |                       |   |
|---|-----------------------|---|
| Examiner Initials   | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.                             |
|   |                       | "What's New: Timex Watch Features Speedpass System",<br><a href="http://www.speedpass.com/news/article.jsp?id=51">http://www.speedpass.com/news/article.jsp?id=51</a> (1 page)  |
|   |                       | "Physical Reality: A Second Look", Ken Sharp, Senior Technical Editor,<br><a href="http://www.idsystems.com/reader/1999_03/phys0399_pt2/phys0399_pt2.htm">http://www.idsystems.com/reader/1999_03/phys0399_pt2/phys0399_pt2.htm</a><br>(6 pages)  |
|   |                       | "Magic Wands' to Speed Mobile Sales", BobBrewin, Jan. 15, 2001,<br><a href="http://www.computerworld.com/mobiletopics/mobile/story/1,10801,563300.html">http://www.computerworld.com/mobiletopics/mobile/story/1,10801,563300.html</a><br>(4 pages)   |
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|                      |                |
|----------------------|----------------|
| Application Number   | 10/710,570     |
| Filing Date          | July 21, 2004  |
| First Named Inventor | Peter Saunders |
| Art Unit             | TBA            |
| Examiner Name        | TBA            |

Attorney Docket Number 60655.6800

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

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|                        |                |
|------------------------|----------------|
| Application Number     | 10/710,570     |
| Filing Date            | July 21, 2004  |
| First Named Inventor   | Peter Saunders |
| Art Unit               | TBA            |
| Examiner Name          | TBA            |
| Attorney Docket Number | 60655.6800     |

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| Filing Date          | July 21, 2004  |
| First Named Inventor | Peter Saunders |
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| Examiner Name        | TBA            |

Attorney Docket Number 60655.6800

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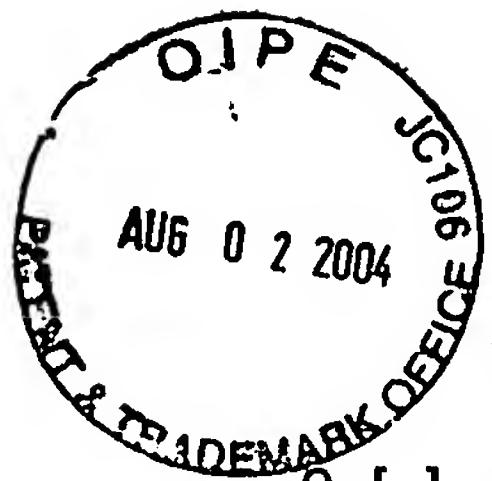
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reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

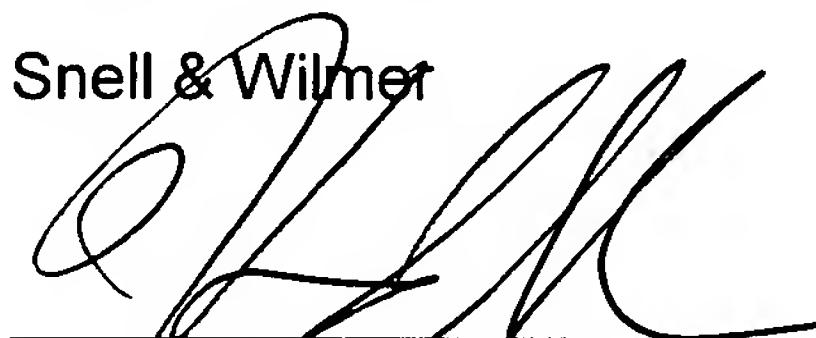
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Respectfully submitted,

Snell & Wilmer

  
Howard I. Sobelman  
Registration No. 39,038

Dated: 7/29/04

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